

1955

The Central Intelligence Agency carries out certain activities having a bearing on the field of atomic energy. In connection with these activities, it is necessary that a number of Agency employees be granted clearances for access to Restricted Data. The Central Intelligence Agency has requested that the Commission grant clearances to such employees on the basis of their CIA clearances. A copy of the letter from the Acting Director of Central Intelligence is attached. The total number of employees involved in these activities is about two hundred, and CIA informs us that there will be requests for clearances for about two employees per month.

The Atomic Energy Act of 1954 (68 Stat. 919, - USCA - (Supp. 1954)) prescribes in Section 145 the conditions under which access to Restricted Data may be granted. The pertinent paragraphs of that Section are:

"b. Except as authorized by the Commission or the General Manager upon a determination by the Commission or General Manager that such action is clearly consistent with the national interest, no individual shall be employed by the Commission nor shall the Commission permit any individual to have access to Restricted Data until the Civil Service Commission shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual, and the Commission shall have determined that permitting such person to have access to Restricted Data will not endanger the common defense and security.

c. In the event an investigation made pursuant to subsections a. and b. of this section develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty, the Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Civil Service Commission for its information and appropriate action."

The Central Intelligence Agency takes the position that the exception to the normal clearance procedure provided in section 145b of the 1954 Act will allow the Commission or the General Manager to permit ^{CIA} ~~their~~ employees to have access to Restricted Data on the basis of their CIA clearances. We believe that there is merit in the position taken by the Central Intelligence Agency and that unnecessary delay and duplication of effort can be avoided while at the same time maintaining adequate security if we are allowed to enter into an arrangement such as that suggested by the Acting Director of Central Intelligence.

Your opinion of the meaning of section 145b of the Atomic Energy Act of 1954 is requested in order that the Commission and CIA may resolve this problem.

29 Nov. 1955
(Date)

TO:

MR. HOUSTON

BUILDING

ROOM NO.

REMARKS:

SUGGESTED DRAFT FOR
AEC. LETTER TO ATTY. GEN.
RE CLEARANCES.

FROM:

BUILDING

TENSION